

# Exhibit A

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## General Docket

### US Court of Appeals for the Third Circuit

Court of Appeals Docket #: 05-5445  
12/20/05

Filed:

Nsuit: 3791 Labor: E.R.I.S.A.  
Register, et al v. PNC Fin Ser Grp Inc, et al  
Appeal from: Eastern District of Pennsylvania

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Lower court information:

District: 0313-2 : 04-cv-06097  
Trial Judge: Legrome D. Davis, District Judge  
Date Filed: 12/30/04  
Date order/judgment: 11/22/05  
Date NOA filed: 12/16/05

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Fee status: paid

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Prior cases:

None

Current cases:

None

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05-5445 Register, et al v. PNC Fin Ser Grp Inc, et al

SANDRA REGISTER  
Appellant

Bryan L. Clobes  
FAX 215-864-2810  
215-864-2800

[COR NTC ret]  
Michael S. Tarringer  
215-864-2800  
[COR NTC ret]  
Miller, Faucher and Cafferty  
18th & Cherry Streets  
One Logan Square, 17th Floor  
Philadelphia, PA 19103

David H. Weinstein  
FAX 215-545-6535  
215-545-7200  
[COR NTC ret]  
Andrea L. Wilson  
FAX 215-545-6535  
215-545-7200  
[COR NTC ret]  
Weinstein, Kitchenoff & Asher  
1845 Walnut Street  
Suite 1100  
Philadelphia, PA 19103

GRACE B. MERCHANT  
Appellant

Bryan L. Clobes  
(See above)  
[COR NTC ret]  
Michael S. Tarringer  
(See above)  
[COR NTC ret]

David H. Weinstein  
(See above)  
[COR NTC ret]  
Andrea L. Wilson  
(See above)  
[COR NTC ret]

SUSAN L. WILSON  
Appellant

Bryan L. Clobes  
(See above)  
[COR NTC ret]  
Michael S. Tarringer  
(See above)  
[COR NTC ret]

David H. Weinstein  
(See above)  
[COR NTC ret]  
Andrea L. Wilson  
(See above)  
[COR NTC ret]

KRISTINA BECKMAN

Bryan L. Clobes

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Appellant  
(See above)  
[COR NTC ret]  
Michael S. Tarringer  
(See above)  
[COR NTC ret]

David H. Weinstein  
(See above)  
[COR NTC ret]  
Andrea L. Wilson  
(See above)  
[COR NTC ret]

JOHN J. DAGGETT

Bryan L. Clobes  
(See above)  
[COR NTC ret]  
Michael S. Tarringer  
(See above)  
[COR NTC ret]

David H. Weinstein  
(See above)  
[COR NTC ret]  
Andrea L. Wilson  
(See above)  
[COR NTC ret]

RICHARD RHOADES, ON BEHALF OF  
THEMSELVES AND ALL OTHERS  
SIMILARLY SITUATED

Appellant

Bryan L. Clobes  
(See above)  
[COR NTC ret]  
Michael S. Tarringer  
(See above)  
[COR NTC ret]

David H. Weinstein  
(See above)  
[COR NTC ret]  
Andrea L. Wilson  
(See above)  
[COR NTC ret]

v.

PNC FIN SER GRP INC  
Appellee

William A. Slaughter  
FAX 215-864-9788  
215-864-8114  
[COR NTC ret]  
Arthur Makadon  
FAX 215-864-9760  
215-864-8200  
[COR NTC ret]  
Alan J. Davis  
FAX 215-864-9516

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215-864-8230  
[COR NTC ret]  
Ballard, Spahr, Andrews &  
Ingersoll  
1735 Market Street  
51st Floor

Philadelphia, PA 19103

PNC BANK NA  
Appellee

William A. Slaughter  
(See above)  
[COR NTC ret]  
Arthur Makadon  
(See above)  
[COR NTC ret]  
Alan J. Davis  
(See above)  
[COR NTC ret]

PENSION COMMITTEE OF PNC  
FINANCIAL SERVICES GROUP, INC.  
PENSION PLAN

Appellee

William A. Slaughter  
(See above)  
[COR NTC ret]  
Arthur Makadon  
(See above)  
[COR NTC ret]  
Alan J. Davis  
(See above)  
[COR NTC ret]

PNC FINANCIAL SERVICES GROUP,  
INC. PENSION PLAN

Appellee

William A. Slaughter  
(See above)  
[COR NTC ret]  
Arthur Makadon  
(See above)  
[COR NTC ret]  
Alan J. Davis  
(See above)  
[COR NTC ret]

-----  
AMERICAN ASSOCIATION OF  
RETIRED PERSONS  
Amicus-appellant

Jay E. Sushelsky  
FAX 202-434-6424  
202-434-2060  
[COR NTC ret]  
American Association of Retired  
Persons  
601 E Street, N.W.  
Washington, DC 20049

EQUAL EMPLOYMENT ADVISORY  
COUNCIL  
Amicus-appellee

Ann E. Reesman  
FAX 789-1708  
202-789-8600  
[COR NTC ret]

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05-5445 Register, et al v. PNC Fin Ser Grp Inc, et al

McGuiness, Norris & Williams  
1015 15th Street, N.W.  
Suite 1200  
Washington, DC 20005

CHAMBER COMMERCE US  
Amicus-appellee

Ann E. Reesman  
(See above)  
[COR NTC ret]

ERISA IND COMM  
Amicus-appellee

Jeffrey G. Huvelle  
202-662-5526  
[COR NTC ret]  
Covington & Burling  
1201 Pennsylvania Avenue, N.W.  
Washington, DC 20004

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05-5445 Register, et al v. PNC Fin Ser Grp Inc, et al

SANDRA REGISTER; GRACE B. MERCHANT;  
SUSAN L. WILSON; KRISTINA BECKMAN;  
JOHN J. DAGGETT; RICHARD RHOADES,  
ON BEHALF OF THEMSELVES AND ALL

OTHERS SIMILARLY SITUATED,

Appellants

v.

PNC FINANCIAL SERVICES GROUP, INC.;  
PNC BANK, N.A.;  
PENSION COMMITTEE OF PNC FINANCIAL  
SERVICES GROUP, INC. PENSION PLAN;  
PNC FINANCIAL SERVICES GROUP, INC.  
PENSION PLAN

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12/20/05 CIVIL CASE DOCKETED. Notice filed by Sandra  
Register,  
Grace B. Merchant, Susan L. Wilson, Kristina  
Beckman, John  
J. Daggett, and Richard Rhoades. (tmk)

12/29/05 TRANSCRIPT PURCHASE ORDER (Part I), unnecessary for  
appeal  
purposes, filed. (tmk)

12/29/05 APPEARANCE from Attorneys Michael S. Tarringer, and  
Bryan  
L. Clobes on behalf of Appellants Sandra Register,  
Grace B.  
Merchant, Susan L. Wilson, Kristina Beckman, John J.  
Daggett, and Richard Rhoades, filed. (tmk)

12/29/05 INFORMATION STATEMENT on behalf of Appellants Sandra  
Register, Grace B. Merchant, Susan L. Wilson,  
Kristina

Beckman, John J. Daggett, and Richard Rhoades,  
received.

(tmk)

12/29/05 CONCISE SUMMARY OF CASE on behalf of Appellants  
Sandra Register, Grace B. Merchant, Susan L. Wilson,  
Kristina Beckman, John J. Daggett, and Richard Rhoades,  
received.

(tmk)

12/29/05 DISCLOSURE STATEMENT on behalf of Appellants Sandra  
Register, Grace B. Merchant, Susan L. Wilson,  
Kristina Beckman, John J. Daggett, and Richard Rhoades,  
filed. (tmk)

12/29/05 DISCLOSURE STATEMENT on behalf of Appellees PNC Fin  
Ser Grp Inc, PNC Bank NA, Pension Comm PNC Fin, and PNC Fin  
Ser Grp Inc, filed. (tmk)

12/30/05 APPEARANCE from Attorney David H. Weinstein on  
behalf of Appellants Sandra Register, Grace B. Merchant, Susan  
L. Wilson, Kristina Beckman, John J. Daggett, and  
Richard Rhoades, filed. (tmk)

12/30/05 APPEARANCE from Attorneys William A. Slaughter, and  
Arthur Makadon on behalf of Appellees PNC Fin Ser Grp Inc,  
PNC Bank NA, Pension Comm PNC Fin, and PNC Ser Grp Inc,  
filed.

(tmk)

12/30/05 APPEARANCE from Attorney Andrea L. Wilson on behalf  
of Appellants Sandra Register, Grace B. Merchant, Susan

L.

Richard Wilson, Kristina Beckman, John J. Daggett, and Rhoades, filed. (tmk)

1/4/06 CERTIFIED LIST filed. (tmk)

1/20/06 BRIEFING NOTICE ISSUED. Appellant brief and appendix due 3/1/06. (tmk)

3/1/06 ELECTRONIC BRIEF on behalf of Appellants, Copies: 1, Pages: 60, Word Count: 13,956, delivered by mail, filed. Certificate of service date 3/1/06. (eh)

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3/1/06 APPENDIX on behalf of Appellants, Copies: 4, Volumes: 2 (Vol. 1 attached to brief), Delivered by Mail, filed. Certificate of service date 3/1/06. (eh)

3/2/06 HARD COPY RECEIVED from Appellants Sandra Register, Grace B. Merchant, Susan L. Wilson, Kristina Beckman, John J. Daggett and Richard Rhoades submitting 10 ccs of brief with Vol 1 of appendix attached. (eh)

3/10/06 MOTION by Proposed Amicus-Appellant AARP for leave to proceed as amicus curiae, filed. Answer due 3/24/06. Certificate of Service dated 3/9/06. (mcw)

3/23/06 ORDER (Nygaard, Authoring Judge) granting motion by

AARP

Appellants, for leave to file amicus brief in support of  
filed. C-81 (mcw)

3/23/06 ELECTRONIC AMICUS BRIEF on behalf of Amicus-  
Appellant AARP, Copies: 1, Pages: 32, Word Count: 6,974, delivered  
by mail, filed. Certificate of service date 3/9/06. (mcw)

3/23/06 HARD COPY RECEIVED of amicus brief from Amicus-  
Appellant AARP, Copies: 10. (mcw)

3/30/06 MOTION by Appellees to file a brief in excess of the  
word limitations set forth in FRAP 32 (15,000 words),  
filed.

3/30/06. Answer due 4/14/06. Certificate of Service dated  
(gpk)

3/30/06 APPEARANCE from Attorney Jay E. Sushelsky on behalf  
of Amicus-appellant AARP, filed. (tmk)

3/30/06 DISCLOSURE STATEMENT on behalf of Amicus-appellant  
AARP, filed. (tmk)

4/3/06 ORDER (Clerk) granting motion by Appellees for leave  
to file overlength brief with filing as of the date of  
this order, filed. (gpk)

4/3/06 ELECTRONIC BRIEF on behalf of Appellees. Copies: 1,  
Pages: 63, Word Count: 14,733 (Clk/O of 4/3/06), delivered  
by mail, filed. Certificate of service date 4/3/06.  
(gpk)

4/3/06                   RESPONSE by Appellants in Opposition to motion by Appellees to file brief in excess of word limitations set forth in FRAP 32, filed. Certificate of Service dated 4/3/06. (gpk)

4/4/06                   HARD COPY RECEIVED of brief from Appellees, Copies: 10. (mcw)

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4/6/06                   ORDER (Clerk) considering response by Appellants in opposition to motion by Appellees to file brief in excess of word limitations. Pursuant to F.R.A.P. 27(b), "[t] imely opposition filed after the motion is granted in whole or in part does not constitute a request to reconsider, vacate or modify the disposition; a motion requesting that relief must be filed." The Clerk's Order of April 3, 2006, will remain in effect, filed. (gpk)

4/10/06                   MOTION by Proposed Amicus-Appellees Equal Employ and Chamber Commerce US for leave to proceed as amicus curiae, filed. Answer due 4/24/06. Certificate of Service dated 4/7/06. (mcw)

4/14/06                   MOTION by Proposed Amicus-Appellee ERISA Ind Comm

for leave

to proceed as amicus curiae, filed. Answer due

4/24/06.

Certificate of Service dated 4/11/06. (mcw)

4/20/06

ELECTRONIC REPLY BRIEF on behalf of Appellants.

Copies: 1.

Delivered by mail, filed. Certificate of service date 4/20/06. (gpk)

4/21/06

(gpk)

HARD COPY RECEIVED from Appellants (10cc of reply).

4/24/06

Employ

ORDER (Ambro, Authoring Judge) granting motion Equal

and Chamber Commerce US for leave to file brief as

amici curiae in support of Appellees, filed. B-95 (mcw)

4/24/06

ELECTRONIC AMICUS BRIEF on behalf of Amicus-

Appellees Equal

Employ and Chamber Commerce US, Copies: 1, Pages: 19, delivered by mail, filed. Certificate of service date 4/7/06. (mcw)

4/24/06

Appellees

HARD COPY RECEIVED of amicus brief from Amicus-

Equal Employ and Chamber Commerce US, Copies: 10.

(mcw)

4/24/06

ERISA Ind

ORDER (Ambro, Authoring Judge) granting motion by

Comm for leave to file brief as amici curiae in

Appellees is granted, filed. B-100 (mcw)

4/24/06

ERISA

ELECTRONIC AMICUS BRIEF on behalf of Amicus-Appellee

Ind Comm, Copies: 1, Pages: 31, Word Count: 6,945, delivered by mail, filed. Certificate of service date 4/11/06. (mcw)

4/24/06

HARD COPY RECEIVED of amicus brief from Amicus-

Appellee

ERISA Ind Comm, Copies: 10. (mcw)

4/24/06

APPEARANCE from Attorney Ann E. Reesman on behalf of Amicus-appellee Equal Employ, and Amicus-appellee

Chamber

Commerce US, filed. (tmk)

5/3/06

behalf of

APPEARANCE from Attorney Jeffrey G. Huvelle on

Amicus-appellee ERISA Ind Comm, filed. (tmk)

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5/3/06  
ERISA Ind

DISCLOSURE STATEMENT on behalf of Amicus-appellee  
Comm, filed. (tmk)

8/9/06

LETTER dated 8/9/06 filed pursuant to Rule 28(j) from  
counsel for Appellee, filed. ZZ#SEND ZZ#TO ZZ#MERITS  
ZZ#PANEL (tmk)

9/14/06  
counsel

LETTER dated 9/14/06 pursuant to Rule 28(j) from  
for Appellants, filed. ZZ#SEND ZZ#TO ZZ#MERITS  
ZZ#PANEL (tmk)

9/22/06  
from

LETTER dated 9/22/06 filed pursuant to Rule 28(j)  
counsel for Appellee, filed. ZZ#SEND ZZ#TO ZZ#MERITS  
ZZ#PANEL (tmk)

9/26/06

CALENDARED for Thursday, December 14, 2006. (clr)

11/7/06  
from

LETTER dated 11/7/06 filed pursuant to Rule 28(j)

ZZ#MERITS ZZ#SEND ZZ#TO  
counsel for Appellants, filed. ZZ#SEND ZZ#TO

ZZ#PANEL (tmk)

11/22/06 APPEARANCE from Attorney Alan J. Davis on behalf of  
Appellees PNC Fin Ser Grp Inc, PNC Bank NA, Pension

Comm  
PNC Fin and PNC Fin Ser Grp Inc, filed. (tmk)

11/30/06 LETTER dated 11/30/06 filed pursuant to Rule 28(j)

from  
counsel for Appellees, filed. ZZ#SEND ZZ#TO ZZ#MERITS  
ZZ#PANEL (tmk)

12/13/06 LETTER by Appellants dated 12/13/06 pursuant to Rule  
28(j),

filed. ZZ#SEND ZZ#TO ZZ#MERITS ZZ#PANEL (tmk)

12/14/06 ARGUED Thursday, December 14, 2006 Panel: Fisher,

Chagares

and Greenberg, Circuit Judges. Counsel for

Appellants:

David H. Weinstein and Counsel for Appellees: Alan J.  
Davis. (eh)

12/29/06 LETTER dated 12/29/06 filed pursuant to Rule 28(j)

from

counsel for Appellant, filed. ZZ#SEND ZZ#TO ZZ#MERITS  
ZZ#PANEL (tmk)

1/17/07 LETTER dated 1/17/07 filed pursuant to Rule 28(j)

from

counsel for Appellees, filed. ZZ#SEND ZZ#TO ZZ#MERITS  
ZZ#PANEL (tmk)

1/29/07 LETTER dated 1/29/07 filed pursuant to Rule 28(j)

from  
counsel for Appellees, filed. ZZ#SEND ZZ#TO ZZ#MERITS  
ZZ#PANEL (tmk)

1/30/07 PRECEDENTIAL OPINION (Fisher, Chagares and Greenberg,  
Authoring Judge, Circuit Judges), filed. (tmk)

1/30/07

JUDGMENT AFFIRMED. Costs taxed against Appellants,

filed.

(tmk)

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05-5445 Register, et al v. PNC Fin Ser Grp Inc, et al

2/13/07

PETITION by Appellant for rehearing en banc, filed.  
Certificate of service dated 2/13/07. (tmk)

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PACER Service Center			
Transaction Receipt			
02/23/2007 09:28:24			
PACER Login:	ct0365	Client Code:	
Description:	dkt report	Case Number:	05-5445
Billable Pages:	11	Cost:	0.88

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